

08/19/2003



U.S. PTO

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22388 U.S. PTO  
06/19/03  
10/64594

August 19, 2003

ATTORNEY DOCKET NO.: DNA1170-2

## MAIL STOP PATENT APPLICATION

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the new provisional-to-utility patent application of:

APPLICANTS: **TONY N. FRUDAKIS AND MARK D. SHRIVER**

FOR: **COMPOSITIONS AND METHODS FOR INFERRING ANCESTRY**

Enclosed are the following papers, including all those required to receive a filing date under 37 CFR § 1.53(b):

### Number of Pages

Specification	170
Claims	13
Abstract	1
Declaration	3
Drawings - Formal	11

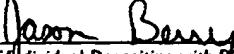
EXPRESS MAIL Number: EV 318739855 US

Date of Deposit: August 19, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

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(Name of Individual Depositing with P.O.)



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**GRAY CARY WARE & FREIDENRICH LLP**

**ATTORNEY DOCKET NO.: DNA1170-2  
MAIL STOP PATENT APPLICATION**

Commissioner for Patents

August 19, 2003

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Enclosures:

- Initial Information Data Sheet (3 pages);
- Transmittal Letter Under 37 C.F.R. § 1.52(e) (2 pages);
- Verified Statement Under 37 C.F.R. § 1.821(f) (1 page);
- Statement Under 37 C.F.R. §§ 1.821(f) (1 page);
- Paper Copy Sequence Listing (68 pages);
- Sequence Listing in computer readable form (3.5" disk);
- Two (2) Algorithm IBM-PC CD-R Compact - Copy 1 and Copy 2; and
- Return Receipt Postcard

This application claims the benefit of priority under 35 U.S.C. § 119(e) of U.S. Serial No. 60/404,357, filed August 19, 2002, and U.S. Serial No. 60/467,613, filed May 2, 2003, and is a continuation-in-part of U.S. Serial No. 10/156,995, filed May 28, 2002; a continuation-in-part of U.S. Serial No. 10/188,359, filed July 1, 2002; and a continuation-in-part of International Application PCT/US02/38345, filed November 26, 2002 (Intl. Publ. No. WO 03/045227A, June 5, 2003), the contents of which is incorporated by reference in its entirety herein.

Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee is calculated as follows:

	Number Filed		Number Extra		Rate			Fee	
					Large Entity	Small Entity		Large Entity	Small Entity
Total Claims	82 -20	=	62	X	\$18	\$09	=	\$	\$
Independent Claims	4 -3	=	1	X	\$84	\$42	=	\$0	\$
Multiple Dependent Claims Presented:	Yes <input checked="" type="checkbox"/> No				\$280	\$140		\$	\$
					BASIC FEE		\$750.00	\$375.00	
					TOTAL FEE		\$	\$	

**GRAY CARY WARE & FREIDENRICH LLP**

**ATTORNEY DOCKET NO.: DNA1170-2**

**MAIL STOP PATENT APPLICATION**

**COMMISSIONER FOR PATENTS**

August 19, 2003

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If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1456.

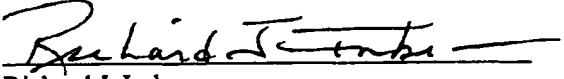
All future correspondence should be addressed to:

**Lisa A. Haile, J.D., Ph.D.**  
**GRAY CARY WARE & FREIDENRICH LLP**  
**USPTO CUSTOMER NUMBER 28213**  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

A copy of this letter is enclosed. Kindly acknowledge receipt of this application by returning the enclosed postcard.

Respectfully submitted,

**GRAY CARY WARE & FREIDENRICH LLP**

  
Richard J. Imbra

Registration No.: 37,643

August 19, 2003

Date

RJI:ct  
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frudakis and Shriver      Art Unit: Unknown  
Application No.: To be assigned      Examiner: Unknown  
Filed: Herewith  
Title: COMPOSITIONS AND METHODS FOR INFERRING ANCESTRY

**MAIL STOP PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER UNDER 37 C.F.R. § 1.52(e)**

Sir:

Submitted along with the above-referenced application and incorporated by reference therein are two CD-R compact disks labeled "Copy 1" and "Copy 2." As required by 37 CFR § 1.52(e)(3), Applicants herein provide the following information for each disk:

Disk labeled "Copy 1"

Machine format: IBM-PC

Operating System Compatibility: MS-Windows

Files:

File Name: DNA1170-2algorithm.txt

File Size: 126 KB

Date Created: 08/15/2003

File Type: Text Document

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" LABEL NUMBER EV 318739855 US DATE OF DEPOSIT August 19, 2003  
I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
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ADDRESSED TO: COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION, U.S. PATENT AND TRADEMARK OFFICE, P.O.  
BOX 2327, ARLINGTON, VA 22202.

JASON BERRY  
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER)

Jason Berry  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

In re Application of  
Frudakis and Shriver  
Application No.: Unassigned  
Filed: August 18, 2003  
Page 2

PATENT  
ATTY. DOCKET NO.: DNA1170-2

Disk labeled "Copy 2"

Machine format: IBM-PC

Operating System Compatibility: MS-Windows

Files:

File Name: DNA1170-2algorithm.txt

File Size: 126 KB

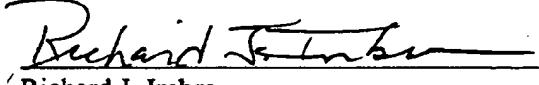
Date Created: 08/15/2001

File Type: Text Document

I hereby state, as required by 37 C.R.F. § 1.52(e)(4), that the Computer Program Listing Appendix on the CD-R compact disc labeled as "Copy 1" is identical to the Computer Program Listing Appendix on the CD-R compact disc labeled as "Copy 2."

Respectfully submitted,

Date: August 19, 2003

  
Richard J. Imbra  
Reg. No. 37,643  
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